

#### **IC 9-23-4**

##### **Chapter 4. Damage to New Motor Vehicles**

#### **IC 9-23-4-1**

##### **Liability of dealer**

Sec. 1. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, the dealer is solely liable for damage to a new motor vehicle after acceptance from the carrier or transporter and before delivery to the ultimate purchaser.

*As added by P.L.2-1991, SEC.11.*

#### **IC 9-23-4-2**

##### **Liability of manufacturer or converter manufacturer**

Sec. 2. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, the manufacturer or the converter manufacturer is liable for all damage to a new motor vehicle before delivery to a carrier or transporter.

*As added by P.L.2-1991, SEC.11.*

#### **IC 9-23-4-3**

##### **Carrier related damage**

Sec. 3. The dealer is liable for damage to a new motor vehicle after delivery to the carrier or transporter only if the dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle.

*As added by P.L.2-1991, SEC.11.*

#### **IC 9-23-4-4**

##### **Disclosure to ultimate purchaser of damage exceeding four percent of retail price**

Sec. 4. (a) This section does not apply to damage to glass, radios, tires, and bumpers when replaced by identical manufacturer's original equipment.

(b) Any uncorrected damage or any corrected damage exceeding four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed in writing before delivery to an ultimate purchaser.

*As added by P.L.2-1991, SEC.11.*

#### **IC 9-23-4-5**

##### **Customer-ordered vehicle; damage not exceeding four percent; disclosure**

Sec. 5. Repaired damage to a customer-ordered new motor vehicle not exceeding four percent (4%) of the manufacturer's suggested retail price does not need to be disclosed at the time of sale.

*As added by P.L.2-1991, SEC.11.*